



# भारत का राजपत्र The Gazette of India

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इस भाग में भिन्न पृष्ठ संख्या की जाती है जिससे कि यह अलग संकलन  
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed  
as a separate compilation

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## RAJYA SABHA

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The following Bill was introduced in the Rajya Sabha on the 2nd  
November, 1982:—

BILL No. XXXVIII OF 1982

*A Bill to repeal the Hindu Widows' Re-marriage Act, 1856.*

BE it enacted by Parliament in the Thirty-third Year of the Republic of  
India as follows:—

1. This Act may be called the Hindu Widows' Re-marriage (Repeal)  
Act, 1982.

Short  
title.

2. The Hindu Widows' Re-marriage Act, 1856 is hereby repealed.

Repeal of  
Act 18 of  
1856.

## STATEMENT OF OBJECTS AND REASONS

The pioneering zeal of Eshwarchundra Sharum—who by his orudition later on earned the sobriquet “Vidyasagar”—resulted in the enactment of the Hindu Widows’ Re-marriage Act in 1856 in spite of the cussedness of many a Sanat-anist. Nearly a hundred years later, four more Acts, viz., the Hindu Marriage Act, 1955, the Hindu Succession Act, 1956, the Hindu Minority and Guardianship Act, 1956, and the Hindu Adoptions and Maintenance Act, 1956, making fundamental and radical changes in the personal laws of Hindus, were passed.

2. It is now judicially settled that once a widow succeeds to the property and acquires absolute right under the Hindu Succession Act, 1956, she cannot be divested of that right on re-marriage. All the same, certain provisions of the Act making references to the disabilities imposed on childless widows under the Dayabhaga School now suffer from a comparable obsolescence and the Law Commission in its 81st Report has recommended that the Hindu Widows’ Re-marriage Act, 1856, having become obsolete, should be repealed so as to foreclose any possible arguments based on the construction of the provisions of this Act and the later Acts.

3. Hence this Bill.

NEW DELHI;  
*The 16th October, 1982.*

JAGAN NATH KAUSHAL.

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SUDARSHAN AGARWAL,  
*Secretary-General.*